



10-01-02

ITW
3762**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gust H. Bardy et al.

Confirmation No.: 2603

Serial No.: 09/940,378

Examiner: K. Droesch

Filing Date: August 27, 2001

Group Art Unit: 3762

Docket No.: 1201.1112101

Customer No.: 21691

For: BIPHASIC WAVEFORM ANTI-BRADYCARDIA PACING FOR A
SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR**TRANSMITTAL SHEET**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314495619 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of September 2004

By Kathleen L. Bookley
Kathleen L. Bookley

We are transmitting herewith the attached:

[XX] Amendment
[XX] No additional claim fee required
[] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86=	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

[] A check in the amount of \$_____ is enclosed. Itemization:

Fee Code _____ \$

Fee Code _____ \$

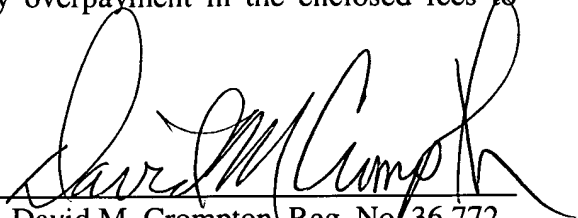
Fee Code _____ \$

[XX] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[] Other: _____.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 
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P A T E N T

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By Kathleen L. Boekley
Kathleen L. Boekley

Dear Sir:

This paper is in response to the Office Action mailed July 1, 2004, with a shortened statutory period set to expire on October 1, 2004. This paper is filed within the set period for response such that no extension of time is necessary.

Please consider the following amendments and/or remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.